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12-10-01

PTO/SB/21 (12-97)

Section 101

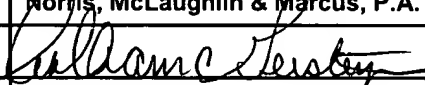
Approved for filing through 9/30/00. OMB 0651-0031

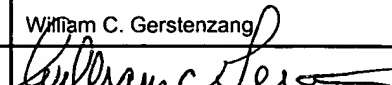
Patent and Trademark Office: U.S. Department of Commerce

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| | | | |
|---|----------------------|------------------------|--------------------|
| TRANSMITTAL FORM (To be used for all correspondence after initial filing) | Serial Number | 09/942,836 | |
| | File Date | August 30, 2001 | |
| | First Named Inventor | Holger KNAACK | |
| | Group Art Unit | 3727 | |
| | Examiner Name | To Be Assigned | |
| Total Number of Pages in This Submission | | Attorney Docket Number | Beiersdorf 740-WCG |

| ENCLOSURES (check all that apply) | | |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip(PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): - Communication (Join-Up Letter) - Copy of Notice to File Missing Parts of Nonprovisional Application - Combined Declaration/Power of Attorney |
| Remarks: | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|--|
| Firm or Individual name | William C. Gerstenzang Norris, McLaughlin & Marcus, P.A. |
| Signature |  Reg. No. 27,552 |
| Date | November 9, 2001 |

| CERTIFICATE OF MAILING | | | |
|--|---|------|------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to : Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: November 9, 2001 | | | |
| Typed or printed name | William C. Gerstenzang | | |
| Signature |  | Date | November 9, 2001 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Attorney Docket No.:

Beiersdorf 740-WCG
6713-St-bb

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Holger KNAACK et al.
Serial No. : 09/942,836
Filed : August 30, 2001
For : FOLDING BOX WITH BASE OFFSET TO THE
INSIDE OF THE BOX
Art Unit : 3727
Examiner : To Be Assigned

November 9, 2001

Assistant Commissioner
For Patents
Washington, D.C. 20231

S I R:

**COMMUNICATION RE: FILING OF DECLARATION ON
A DATE LATER THAN THE FILING DATE OF THE APPLICATION**

This is in response to the Notice to File Missing Parts of Nonprovisional Application under 37 CFR 1.53(d) dated October 3, 2001, in the above-identified application. A copy of said Notice is attached hereto.

It is respectfully requested that the enclosed declaration submitted herewith be joined up with the papers previously filed in this Application.

Applicant is:

☐ a small entity ☐ verified statement attached
☒ other than a small entity ☐ verified statement filed

It is requested that the surcharge for the filing of the Declaration be charged to the undersigned's Deposit Account No. 14-1263.

Please charge:

☐ \$ 65.00 for small entity

☒ \$130.00 for other than small entity.

An extra copy of this communication is appended hereto for accounting purposes.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, applicant requests that this be considered a petition therefor. Please charge the required Petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess to our Deposit Account No. 14-1263.

Respectfully submitted,

NORRIS, McLAUGHLIN & MARCUS, P.A.

By William C. Gerstenzang
William C. Gerstenzang
Reg. No. 27,552

WCG:gb

Enc.- Declaration and Power of Attorney

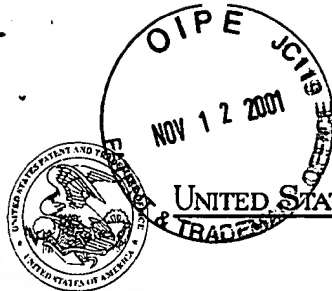
Copy of Notice to File Missing Parts of Nonprovisional Application

220 East 42nd Street, 30th Floor
New York, New York 10017
(212) 808-0700

I hereby certify that this correspondence is being deposited with the United States Postal Services as Express Mail Label No. EL867734274US in an envelope addressed to: BOX ASSIGNMENT, Hon. Asst. Commissioner For Patents, Washington, D.C. 20231 on November 9, 2001.

NORRIS, McLAUGHLIN & MARCUS, P.A.

By William C. Gerstenzang Date 11/9/01



UNITED STATES PATENT AND TRADEMARK OFFICE

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 WASHINGTON, D.C. 20231
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/942,836 | 08/30/2001 | Holger Knaack | Beiersdorf 740-WCG |

CONFIRMATION NO. 8547

FORMALITIES LETTER



OC00000006840451

 William C. Gerstenzang
 Norris McLaughlin & Marcus, P.A.
 30th Floor
 220 East 42nd Street
 New York, NY 10017

Date Mailed: 10/03/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice **MUST** be returned with the reply.

 Customer Service Center
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/12/2001 09:00:00 00000059 141263 09942036

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